

05 Rec'd PCT/PTO 05 MAR 1995

242-660

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applic. of: Richard L. Cloud)
Filed: March 5, 1998) Examiner:
Serial No: 08/983,332) Group Art Unit:
For: CIRCUIT APPARATUS AND CONFIGURATIONS)
FOR REFRIGERATION SYSTEMS) RECE
which is a NATIONAL PHASE APPLICATION)
OF INTERNATIONAL APPLICATION NO.) 06 A
PCT/US97/06818 FILED ON 4/4/97)
Docket No.: ZI056/96001)
Legal
International

RECEIVED

06 APR 1998

**Legal Staff
International Division**

Assistant Commissioner for Patents
Box PCT 5000
Washington, D.C. 20231

CONDITIONAL PETITION TO REVIVE UNINTENTIONALLY ABANDONED PATENT
APPLICATION PURSUANT TO 37 CFR §1.137 (b)

Dear Sir:

Abandonment for the above-identified patent application mailed December 4, 1997. However, we anticipate the possibility of receiving a Notice of Abandonment.

Applicant timely filed a national stage application on December 4, 1997, the requisite 20 month filing date for the above-identified application, but inadvertently failed to include the \$665.00 fee required filing fee, mistakenly believing the filing fee could be paid at a later date as is typically allowed in filing domestic

patent applications in the United States Patent and Trademark Office.

Applicant's attorney respectfully petitions the Commissioner of Patents and Trademarks to revive the above-identified application under the provisions of 37 C.F.R. §1.137(b) on the ground that the abandonment of the above-identified application was completely unintentional and grant entry in the national stage and assign a filing date to the above-identified application.

The original PCT application including specification, claims, an Abstract, and eleven (11) pages of informal drawings is on file in the United States PCT Receiving Office. The United States PCT Receiving Office was appointed as the International Searching Authority and a copy of the search results is on file in the U.S. Receiving Office.

Enclosed herewith for processing is a Declaration for Utility Application signed by the Inventor, Richard L. Cloud; Power of Attorney Documents signed by the Applicant, Richard L. Cloud and assignee of the Application, ICE ONE, LLC.; a Verified Statement Claiming Small Entity status for an Independent Inventor executed by the Applicant; and a Verified statement Claiming Small Entity Status for a Small Business executed by the Assignee. Also enclosed are checks totaling \$1,120.00 as payment for the filing fee, Declaration fee, and Petition fee.

It is submitted, therefore, that the above abandonment of the application should be held to be unintentional and inadvertent and that the case be revived an entry into the national stage be allowed as justice so requires.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Respectfully submitted,


David W. Carrithers, Esq.
One Paragon Centre
6060 Dutchman's Lane, Suite 140
Louisville, KY 40205
United States
Reg. No. 35,475
Telephone (502) 452-1233

RECEIVED PCT/PTO 05 MAR 1998

08/983332

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

957-360.00

In re Applic. of: Richard L. Cloud

254-65.00

Filed: March 5, 1998

) Examiner:

Serial No: 08/983,332

) Group Art Unit:

#2

For: CIRCUIT APPARATUS AND CONFIGURATIONS)

FOR REFRIGERATION SYSTEMS)

which is a NATIONAL PHASE APPLICATION)

OF INTERNATIONAL APPLICATION NO.)

PCT/US97/06818 FILED ON 4/4/97)

)

Docket No.: ZI056/96001)

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

PATENT APPLICATION TRANSMITTAL LETTER

Dear Sir:

Enclosed herewith for filing are:

- 1) PCT U.S. National Stage Application for PCT/US97/06818;
- 2) Power of Attorney of Inventor;
- 3) Power of Attorney of Assignee;
- 4) Declaration of Inventor;
- 5) Small Entity Statement of Individual Inventor;
- 6) Small Entity Statement of Small Business;
- 7) Petition for Revival of Unintentionally Abandoned application;
- 8) Checks in the amount of \$1,120.00 for the filing fee, Declaration fee, and Petition fee; and
- 9) A return postcard showing receipt of the above items.

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03/20/1998 WCLAYBRO 00000037 08983332
01 FC:957 360.00 0P
02 FC:254 65.00 0P
03 FC:198 30.00 0P

Respectfully submitted,

David W. Carrithers

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08/983332

4-3-98 05 REC'D PCT/PTO 04 DEC 1997

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applic. of: Richard L. Cloud)
Filed: Simultaneously Herewith) Examiner:
Serial No:) Group Art Unit:
For: CIRCUIT APPARATUS AND CONFIGURATIONS)
FOR REFRIGERATION SYSTEMS)
which is a NATIONAL PHASE APPLICATION)
OF INTERNATIONAL APPLICATION NO.)
PCT/US97/06818 FILED ON 4/4/97)
Docket No.: ZI056/96001)

Assistant Commissioner for Patents
Box NEW APPLICATION
Washington, D.C. 20231

TRANSMITTAL OF DOCUMENTS

Dear Sir:

This is a request for filing a National Phase application based on International application PCT/US97/06818 filed on April 4, 1997 and which claims priority from prior copending parent provisional application Serial No. 60/014,883 filed on April 4, 1996 by Richard L. Cloud, for a "CIRCUIT APPARATUS AND CONFIGURATIONS FOR REFRIGERATION SYSTEMS".

Enclosed is a copy of the PCT International Application including specification, claims, an Abstract, 11 pages of informal drawings, unexecuted Declaration and Power of Attorney, and Information Disclosure Statement.

The priority application 60/014,883 is assigned of record to ICE ONE, INC., a Kentucky corporation whose address is prior address was 101 North Hancock, Louisville, KY 40202, which address has changed to: 7301 Intermodal Drive, P.O. Box 197412, Louisville, KY 40259.

The power of attorney is appointed to David W. Carrithers,

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Reg. No. 35,475 to prosecute the application, to make alterations and amendments therein, and to transact all business in the Patent and Trademark Office connected therewith.

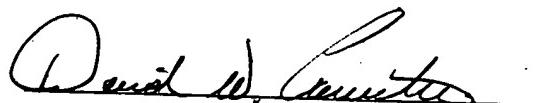
Address all future communications to:

David W. Carrithers
P.O. Box 91469
Louisville, KY 40291
Telephone (502) 231-8070

No patent has issued, and no abandonment of, or termination of proceedings has occurred in the above-identified copending international application.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



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Date 12/4/97